

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 342 CUTTACK, TUESDAY, FEBRUARY 22, 2005 / FALGUNA 3, 1926

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 27th January 2005

No. 874—li/1(BH)-5/2003-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 22nd November 2004 in Industrial Disputes Case No. 41 of 2003 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial disputes between the management of M/s. IPISTEEL Ltd., Dhenkanal and its workman Shri Susil Kumar Bhanja was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT, SAMBALPUR

INDUSTRIAL DISPUTE CASE No. 41 OF 2003

Dated the 22nd November 2004

Present :

Shri G. N. Patra, LL. B.
Presiding Officer, Labour Court
Sambalpur.

Between :

The Management of
M/s. IPISTEEL Ltd., Dhenkanal
Dist. Dhenkanal.

.. First Party—Management

And

Its workman
Shri Susil Kumar Bhanja
Village Mulisingh, P. O. Siminai
Dist. Dhenkanal.

.. Second Party—Workman

Appearances :

For the First Party–Management	..	Shri A. K. Rout Asst. Personnel Officer
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For the Second Party–Workman	..	Self

AWARD

1. This case arises out of the reference made by the Government of Orissa, Labour & Employment Department under Sections 10 and 12 of the Industrial Disputes Act, 1947 vide Memo. No.8152 (5), dated the 21st August 2003 for adjudication of the dispute scheduled below :—

“Whether the termination of services of Shri Susil Kumar Bhanja, Electrical Helper by way of dismissal by the management of M/s. IPISTEEL Limited, Gundichapada, Dhenkanal with effect from the 27th April 2002 is legal and/or justified ? If not, what relief Shri Bhanja is entitled to ?”

2. While the case was posted for filing of statement of claim by the workman, both sides appeared on the 18th November 2004 and filed a joint petition praying to pass an Award as per the terms of amicable settlement entered into by them, the copy of which was also enclosed with the petition.

3. I have heard the workman in person and Shri Ajay Kumar Rout, Authorised Personnel Officer from the side of management. The contents of the settlement are read over and explained to both the parties. The workman Shri S. K. Bhanja is also examined in the Court as W. W. 1 and in his evidence he categorically admitted the contents of the settlement. In the circumstances, the following Award is passed in terms of settlement.

TERMS OF SETTLEMENT

- (i) That it is agreed by and between the parties that the management shall pay a sum of Rs. 1,000 (rupees one thousand only) towards full and final settlement of all claims of Shri Susil Kumar Bhanja. He will receive his gratuity amount from the Life Insurance Corporation as the management of M/s. IPISTEEL Limited has entered into an agreement with Life Insurance Corporation for payment of gratuity to the eligible employees and he shall apply to the Regional Provident Fund Commissioner, Orissa, Bhubaneswar for the final withdrawal of all his P. F. dues.
- (ii) That it is agreed by and between the parties that after signing this settlement Shri Susil Kumar Bhanja shall have no claim/no Industrial Disputes whatsoever against the Management of M/s. IPISTEEL Limited either for service or for money.

(iii) That it is agreed by and between the parties concerned that seven copies of this settlement shall be filed before the Presiding Officer, Labour Court, Sambalpur with a joint petition praying for passing an Award in this case as per the Form-K settlement.

4. The reference is accordingly answered on settlement.

Dictated and corrected by me

G. N. PATRA
22-11-2004
Presiding Officer
Labour Court, Sambalpur

G. N. PATRA
22-11-2004
Presiding Officer
Labour Court, Sambalpur

By order of the Governor
D. MISHRA
Under-Secretary to Government